

# United States Department of Agriculture,

OFFICE OF THE SECRETARY.

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## NOTICE OF JUDGMENT NO. 1763.

(Given pursuant to section 4 of the Food and Drugs Act.)

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### ADULTERATION AND MISBRANDING OF SORGHUM AND CORN SYRUP.

On April 20, 1912, the United States Attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Fort Scott Sorghum Syrup Co., a corporation, Fort Scott, Kans., alleging shipment by said company, in violation of the Food and Drugs Act, on or about November 15, 1910, from the State of Kansas into the State of Iowa, of a consignment of so-called pure sorghum, which was adulterated and misbranded. The product was labeled: "Pure Sorghum, Put up for Warfield-Pratt-Howell Co." (On cans) "Pure Sorghum (5 pounds Net) Distributed by Warfield-Pratt-Howell Co., Des Moines, Sioux City, Cedar Rapids."

Analysis of a sample of the product by the Bureau of Chemistry of this Department showed the following results: Solids by refractometer, 78.57 per cent; nonsugar solids, 14.77 per cent; sucrose, Clerget, 29.38 per cent; reducing sugars as invert, 34.42 per cent; commercial glucose (factor 163), 18.16 per cent; polarization direct temperature, 24° C., +51.2; polarization invert temperature, 24° C., +12.8; polarization invert 87° C., +29.6; ash, 2.86 per cent; net weight, (first) —4.77 pounds, short 4.6 per cent; net weight, (second) —4.77 pounds, short 4.6 per cent. Adulteration was alleged in the information for the reason that the product consisted of 18.16 per cent of commercial glucose, which had been mixed and packed with the product so as to reduce, lower, and injuriously affect its quality and strength, and that said glucose had been substituted wholly or in part for the genuine article, to wit, pure sorghum. Misbranding was alleged for the reason that the label on each of said cans of the product was misleading and deceptive, it being intended by said label

and quotations thereon to publish and convey the impression that each of the cans contained pure sorghum, and the product was so labeled and branded as to deceive and mislead the purchaser or consumer, being labeled or branded "Pure Sorghum", whereas in truth and in fact it was not pure sorghum, but a mixture of sorghum and glucose. The product was alleged to be misbranded for the further reason that it was in package form, and the contents were stated in terms of weight or measure, but were not correctly and plainly stated, each of the cans being labeled so as to mislead and deceive the purchaser or consumer, in that the label stated that the package or can contained 5 pounds net of the product, when in truth and in fact it contained a lesser amount of weight of the product.

On May 6, 1912, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25 and costs.

W. M. HAYS,  
*Acting Secretary of Agriculture.*

WASHINGTON, D. C., *August 21, 1912.*